

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *eg* D.C.
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SMITH & NEPHEW, INC.,

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF MEMPHIS

Plaintiff,

VS.

NO. 02-2873-Ma

SYNTHES (U.S.A.) AND
SYNTHES STRATEC, INC.,

Defendants.

ORDER DENYING MOTION AS MOOT

Before the court is defendants' November 10, 2005, motion to for permission to file a reply in further support of their motion for stay of discovery and trial concerning damages and willful infringement pending appeal. Defendants submitted their reply with the motion for leave to file and the clerk accepted and filed same on November 10, 2005, thus rendering the motion for leave to file moot. The motion is denied as moot.

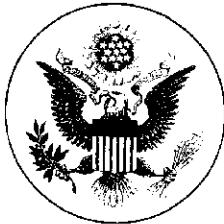
It is so ORDERED this 21st day of November, 2005.



SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance
with Rule 58 and/or 73(a) FRCF on 11/28/05

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Honorable Samuel Mays
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